

July 17, 2007

The GrayBar Building Tide Mill Landing HISDO SDNY New Southport, CT 06890 phone (203) 256-8600 DOCUMENT fax (203) 256-8615 ELECTRONICALLY EIL DOC#: DATE FILED

By Hand

Hon. William H. Pauley United States District Judge United States District Court 500 Pearl Street, Room 2210 New York, NY 10007

MENO ENDORSED

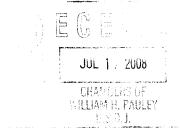
Re:

The Rice Co. v. Express Sea Transport Corp.

Docket No.: 07 Civ. 7077 (WHP)

LML ref: 1213

Dear Judge Pauley:



We represent the Defendant, Express Sea Transport Corp., in the above-captioned case. Together with opposing counsel, we write to provide the Court with the status of this matter and to request an adjournment of the pre-trial conference scheduled for Friday, July 18, 2008.

On August 14, 2007, an Ex Parte Order authorizing process of maritime attachment was issued permitting restraint of Defendant's property in the hands of garnishee banks located within the Southern District of New York. Despite daily service of the Writ of Attachment on the garnishee banks, none of Defendant's property has been restrained. We have been informed by Defendant's counsel that the underlying arbitration has been initiated and is apparently proceeding in the usual course. We have not yet received an update from our client, however, if we receive contrary information, we will notify the Court immediately.

As no funds have been attached and the underlying arbitration is apparently still proceeding, we respectfully request a ninety (90) day adjournment of the pre-trial conference. Defendant further reserves its right to request that this case be dismissed, as no funds have been attached and jurisdiction is thus absent.

Should your Honor have any questions or comments we are available to discuss the same at any convenient time to the Court. We thank your Honor for consideration of this request.

Respectfully submitted,

navey R. siegel /METIN

Nancy R. Siegel

Via Facsimile: (212) 669-0699 cc:

Keith B. Dallen, Esq. Thomas Willoughby, Esq. The conference is adjament to Agrit 22,2000 at